

AMENDED IN SENATE DECEMBER 18, 2008

CALIFORNIA LEGISLATURE—2009–10 FIRST EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 7

Introduced by Assembly Member Evans

December 8, 2008

An act relating to the Budget Act of 2008. An act to amend and supplement the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008) by adding Sections 20.00, 20.50, 20.60, 20.65, 20.70, 20.75, and 20.80 to that act, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 7, as amended, Evans. Budget Act of 2008.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2008.~~

The Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008) made appropriations for the support of state government during the 2008–09 fiscal year.

This bill would amend the Budget Act of 2008 to make specified appropriations regarding public transit, state highway improvements, land use, parks, pollution, water management, flood protection, community conservation, and community colleges.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 1, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 1, 2008, pursuant to the California Constitution.

The bill would become operative only if AB 2 of the 2009–10 1st Extraordinary Session is enacted.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
2 ~~changes relating to the Budget Act of 2008.~~

3 *SECTION 1. The appropriations made by this act are in*
4 *addition to the appropriations made in Section 2.00 of the Budget*
5 *Act of 2008 (Chapters 268 and 269 of the Statutes of 2008) and*
6 *are subject to the provisions of that act, as appropriate.*

7 *SEC. 2. Section 20.00 is added to the Budget Act of 2008, to*
8 *read:*

9 *SEC. 20.00. (a) Pursuant to subdivision (f) of Section 8879.23*
10 *of the Government Code, eight hundred million dollars*
11 *(\$800,000,000) is hereby appropriated from the Public*
12 *Transportation Modernization, Improvement and Service*
13 *Enhancement Account to the Department of Transportation for*
14 *allocation to public transit agencies for eligible capital*
15 *improvements to public transit systems and services.*

16 *(b) Pursuant to subdivision (l) of Section 8879.23 of the*
17 *Government Code, seven hundred million dollars (\$700,000,000)*
18 *is hereby appropriated from the Local Streets and Road*
19 *Improvement, Congestion Relief, and Traffic Safety Account of*
20 *2006 to the Controller for allocation to cities and counties in*
21 *California for improvements to local transportation facilities. Of*
22 *the amount appropriated pursuant to this subdivision, four hundred*
23 *forty one million seven hundred ninety-five thousand dollars*
24 *(\$441,795,000) shall be allocated to the counties and two hundred*
25 *fifty eight million two hundred five thousand dollars (\$258,205,000)*
26 *shall be allocated to the cities.*

27 *(c) Pursuant to paragraph (1) of subdivision (a) of Section*
28 *8879.23 of the Government Code, five hundred million dollars*

1 (\$500,000,000) is hereby appropriated from the Corridor Mobility
2 Improvement Account to the California Transportation Commission
3 for allocations necessary to advance state highway improvement
4 projects from later years into the 2009 calendar year.

5 (d) Pursuant to subdivision (g) of Section 8879.23 of the
6 Government Code, two hundred million dollars (\$200,000,000) is
7 hereby appropriated from the State-Local Partnership Program
8 Account to the California Transportation Commission for
9 allocation to eligible applicants for projects that can receive
10 awards in the 2009 calendar year.

11 (e) Pursuant to subdivision (b) of Section 8879.23 of the
12 Government Code, one hundred seventy million dollars
13 (\$170,000,000) is hereby appropriated from the Route 99 Account
14 to the California Transportation Commission for allocation
15 necessary to advance projects to improve the State Route 99
16 corridor into the 2009 calendar year.

17 (f) Pursuant to paragraph (1) of subdivision (c) of Section
18 8879.23 of the Government Code, one hundred ten million dollars
19 (\$110,000,000) is hereby appropriated from the Trade Corridors
20 Improvement Fund to the California Transportation Commission
21 for allocation necessary to award construction contracts to eligible
22 projects in the 2009 calendar year.

23 SEC. 3. Section 20.50 is added to the Budget Act of 2008, to
24 read:

25 SEC. 20.50. (a) Pursuant to paragraph (2) of subdivision (b)
26 of Section 53545 of the Health and Safety Code, sixty million
27 dollars (\$60,000,000) is hereby appropriated from the Regional
28 Planning, Housing, and Infill Incentive Account to the California
29 Pollution Control Financing Authority for purposes of providing
30 loans and grants under the California Recycle Underutilized Sites
31 (CALReUSE) program for brownfield cleanup that promotes infill
32 residential and mixed-use development.

33 (b) Pursuant to subdivision (d) of Section 53545 of the Health
34 and Safety Code, thirty million dollars (\$30,000,000) is hereby
35 appropriated from the Housing Urban-Suburban-and-Rural Parks
36 Account to the Department of Housing and Community
37 Development to fund the creation, development, or rehabilitation
38 of parks under the Housing-Related Parks Program.

39 SEC. 4. Section 20.60 is added to the Budget Act of 2008, to
40 read:

1 *SEC. 20.60. Pursuant to Section 75026 of the Public Resources*
2 *Code, the sum of one hundred million dollars (\$100,000,000) is*
3 *hereby appropriated to the Department of Water Resources for*
4 *the purposes of expenditure pursuant to integrated regional water*
5 *management plans throughout the state for immediate priority*
6 *water supply reliability projects. Funds shall be distributed on a*
7 *pro rata basis as compared to the amounts allocated to each region*
8 *pursuant to subdivision (a) of Section 75027 of the Public*
9 *Resources Code.*

10 *SEC. 5. Section 20.65 is added to the Budget Act of 2008, to*
11 *read:*

12 *SEC. 20.65. Pursuant to Section 5096.827 of the Public*
13 *Resources Code, the sum of one hundred million dollars*
14 *(\$100,000,000) is hereby appropriated to the Department of Water*
15 *Resources for immediate disbursement to local agencies and flood*
16 *protection agencies to prevent and mitigate the effects of flash*
17 *flooding, mudslides, and other damage associated with winter*
18 *rains and fire damaged areas.*

19 *SEC. 6. Section 20.70 is added to the Budget Act of 2008, to*
20 *read:*

21 *SEC. 20.70. Pursuant to Section 75063 of the Public Resources*
22 *Code, the sum of one hundred million dollars (\$100,000,000) is*
23 *hereby appropriated to the Department of Parks and Recreation*
24 *for the purposes of immediate investments in the deferred*
25 *maintenance and rehabilitation of aging state parks and recreation*
26 *facilities throughout the state. In contracting for the repair and*
27 *rehabilitation of these facilities, the department shall endeavor to*
28 *use California-based construction companies or workers.*

29 *SEC. 7. Section 20.75 is added to the Budget Act of 2008, to*
30 *read:*

31 *SEC. 20.75. Pursuant to subdivision (l) of Section 75050 of*
32 *the Public Resources Code, the sum of sixteen million dollars*
33 *(\$16,000,000) is hereby appropriated to the California*
34 *Conservation Corps for disbursement to local community*
35 *conservation corps for support of local conservation corps*
36 *programs and facilities.*

37 *SEC. 8. Section 20.80 is added to the Budget Act of 2008, to*
38 *read:*

39 *SEC. 20.80. The sum of twelve million five hundred thousand*
40 *dollars (\$12,500,000) is hereby appropriated from the Public*

1 *Interest Research, Development, and Demonstration Fund to the*
2 *Office of the Chancellor of the California Community Colleges*
3 *for the purposes of augmenting funding provided in the Budget*
4 *Act of 2008 for green technology training through the California*
5 *Partnership Academies.*

6 *SEC. 9. Sections 1 to 8, inclusive, of this act shall become*
7 *operative only if Assembly Bill 2 of the 2009–10 First*
8 *Extraordinary Session is enacted.*

9 ~~SEC. 2.~~

10 *SEC. 10.* This act addresses the fiscal emergency declared by
11 the Governor by proclamation on December 1, 2008, pursuant to
12 subdivision (f) of Section 10 of Article IV of the California
13 Constitution.

14 *SEC. 11. This act is an urgency statute necessary for the*
15 *immediate preservation of the public peace, health, or safety within*
16 *the meaning of Article IV of the Constitution and shall go into*
17 *immediate effect. The facts constituting the necessity are:*

18 *In order for the provisions of this act to be applicable as soon*
19 *as possible in the 2008–09 fiscal year; and thereby facilitate the*
20 *award of bond funds to vital infrastructure projects for which*
21 *construction contracts can be awarded as soon as possible, it is*
22 *necessary that this act take effect immediately.*

O